

REMARKS

Reconsideration and allowance are respectfully requested.

Claims 1-31 are pending in this application with claims 17-31 being new.

The specification has been amended at page 7, line 19 and page 8, line 3 to correct the reference number of the holder 4, and at page 7, line 20 to add the reference numeral for the remote product identifier 24. No new matter has been added.

The abstract stands objected to. Although the use of the term “means” was not used in a means plus function manner, and therefore, is not legal phraseology, it has been replaced in the amended abstract. Thus, it is respectfully requested that this objection be withdrawn.

Claim 2 stands objected to. As suggested by the Examiner, claim 2 has been amended to remove the extraneous language.

Claims 1-4 and 7-16 stand rejected under 35 USC 102(b) as being anticipated by Chirnomas.

Claim 1 is directed to a retrofit kit for a vending machine that can be supplied for various types of older style vending machines and which upgrades the appearance of such older style vending machines to a style similar to the marketing graphics of new vending machines merely by the replacement of the existing sign 1 with the claimed retrofit kit. See the present specification at page 11, lines 3-15:

With the present invention as disclosed in the various embodiments above, a retrofit kit can be supplied for various types of older style vending machines that allows the upgrading of the appearance of the machine to a style similar to the marketing graphics of new vending machines merely by the replacement of the existing sign 1 with the present invention sign holder assembly as described above and, optionally, the graphics associated with the selection panel 2 and selection panel windows 7 and buttons 28. Since in the preferred embodiment, no modifications to the vending machine or other components are needed to retrofit the older style machine, the cost of the

In re: MYATT
10/690,825

retrofit is but a fraction of the cost of the replacement of the machine. The present invention retrofit kit uses the machine's existing signage lighting and can be installed on the vending machine with the same tools required to change the sign 1 and in approximately the same amount of time. Thus, the preferred new style marketing graphics can be used on an older style vending machine without incurring the cost of replacing the entire vending machine.

See also, page 7, lines 11-16:

A holder 4 that contains a corresponding number of openings to the masking 3 is then attached to the back of the sign 1 and is registered to the printed masking 3. The holder 4, shown in the form of a lattice, is attached by means of threaded fasteners 5 that pass through the sign 1 and the lattice-type holder 4 and are retained by nuts 16. Other types of fasteners can also be used, such as clips, adhesives, hook and loop fasteners, etc.

Claim 1 has been amended to require that the holder be constructed and arranged to be attached to positioned on the rear side of the sign and supported entirely by the sign. In this manner, the retrofit kit of the present invention is a truly self-contained retrofit kit for changing the appearance of the outdated vending machine. The sign of the present invention attaches to the front portion of the vending machine in the same manner as the outdated sign being replaced with the holder being attached to rear of the sign itself and the holder holding the remote product identifier. No modifications need be made to the vending machine to support the holder and remote product identifiers.

Chirnomas, on the other hand is not directed to a retrofit kit for updating the appearance of older machines, but discloses a vending machine of new manufacture. The graphics panel 410, whether embodied as a single panel 410 or comprising sheets 510 and/or 516 and 522, is positioned behind display face panel 18 and supported by the vending machine itself. See par. [0073]:

In re: MYATT
10/690,825

In accordance with the principles of the present invention, a further opening is provided in door 14, namely a display face change slot or access port 308. As will be described in greater detail later, slot 308 is used for juxtaposing a replaceable graphics display panel with the interior facing side of display face panel 18, enabling quick change graphics in accordance with one aspect of the present invention.

The graphics panel 410 may contact display face panel 18, and Chirnomas discloses tensioning/urging means to bow the graphics panel 410 into contact with the display face panel 18 (see Par. [0074]), but the graphics panel 410 itself nonetheless is positioned in slot 308 of the vending machine and supported by the vending machine. See, for instance, Figs. 2 and 4a. Such a structure is unsuitable for updating the appearance of older vending machines because it is highly undesirable to have to make changes to the machine itself to accommodate the holder and remote product identifiers of the claimed invention. Rather, it is much preferable to merely remove the existing original sign of the machine and replace same with the direct replacement retrofit kit as claimed. In view of this, Chirnomas does not anticipate or render obvious the invention of claim 1 and it is respectfully requested that the rejection of claim 1 be withdrawn and an indication of allowance be given for claim 1.

Claims 2-16 depend from claim 1 and are believed allowable for the same reasons as claim 1, as well as for the further limitations contained therein.

New claims 17-29 depend from claim 1 and are directed to further features disclosed in the specification at pages 11 and 12. No new matter has been added. They are believed allowable for the same reasons as claim 1, as well as for the further limitations contained therein.

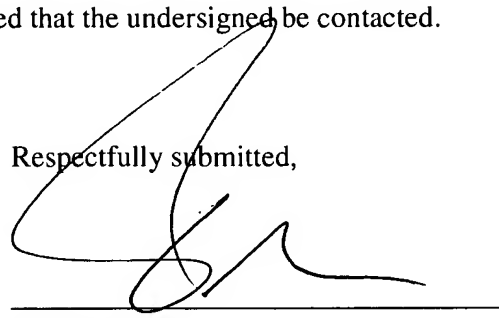
Claims 5 and 6 have been indicated as containing allowable material.

In re: MYATT
10/690,825

New claims 30 and 31 correspond to claims 5 and 6, with each also containing the limitations of original claims 1, 2 and 3. In view of the indication of allowable matter, it is believed that these claims are in allowable condition.

In view of the above, it is believed that the application is in condition for allowance and such a Notice is respectfully requested. If anything else is needed to place the application in condition for allowance, it is kindly requested that the undersigned be contacted.

Respectfully submitted,

A handwritten signature in black ink, appearing to be 'Timothy J. Klima', written over a horizontal line.

Timothy J. Klima
Reg. No.: 34,852

Harbin King & Klima
500 Ninth Street SE
Washington, DC 20003
Ph: 202-543-6404
Fax: 202-543-6406